IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Smt. Gafooran. Versus State of Rajasthan & Anr.

S.B. Criminal Misc. Petition No. 1211/2005 for quashing the FIR No. 47/2005, Mahila Police Station, Bhilwara.

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Date of Order: July 13, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

None present for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

BY THE COURT:

Despite repeated calls, even in the fifth round, no one appears for the petitioner.

Heard learned Public Prosecutor. Perused the memo of criminal miscellaneous petition.

By the instant criminal miscellaneous petition, the petitioner seeks quashing of the FIR No.47/2005, Mahila Police Station, Bhilwara for the offences under Sections 498-A and 307 IPC. By the instant criminal miscellaneous petition, the petitioner has challenged the jurisdiction of the Mahila Police Station, Bhilwara.

On the basis of Parcha-Bayan of complainant/non-

petitioner No.2 Sajida Bano recorded on 28-9-2005 at Mahatma Gandhi Hospital, Bhilwara, the police registered a Crime Report bearing FIR No.47/2005 dated 28-9-2005. In the Parcha-Bayan, it was alleged by the complainant/non-petitioner No.2 that on 27-9-2005, at 10:00 PM in the night, her husband Chhotu Shah demanded a sum of Rs. One lac to be brought from her father and stated that she had not demanded this amount from her father and started quarrelling with her. Thereafter her husband, mother-in-law, Chhota and two sister-in-laws Pinki and Farjana came. Her husband sprinkled kerosene oil over her body and thereafter lit fire by a match-stick. She was rescued by the neighbourers and was taken to the hospital. She was admitted to Mahatma Gandhi Hospital, Bhilwara having serious burn injuries. On these allegations, the police started investigation.

The petitioner seeks quashing of the FIR.

From a bare reading of the FIR, it discloses the cognizable offences. It cannot be said that the FIR is barred by any provision of law or inherently improbably or absurd. On the contrary, it is based on the statement of injured, who alleged to have suffered burn injuries at the hands of the accused. Thus, it cannot be said that the FIR and the investigation thereunder would result in serious miscarriage of justice or abuse of process of any Court, which may warrant interference under Section 482 of the Code.

Consequently, the miscellaneous petition is dismissed. The stay petition also stands dismissed.

(H.R. PANWAR), J.

mcs